

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF MADISON**

March 9, 2015 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 9th day of March, 2015. Mayor Conley called the meeting to order at 7:15 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 8, 2015. This Notice was made available to members of the general public.”

ROLL CALL

The Borough Clerk called the roll and the following acknowledged their presence:

Mayor Robert H. Conley

Council Members:

Robert G. Catalanello
Robert Landrigan
Carmela Vitale
Astri J. Baillie
Benjamin Wolkowitz
Patrick W. Rowe

Also Present:

Raymond M. Codey, Borough Administrator
James E. Burnet, Assistant Borough Administrator
Elizabeth Osborne, Borough Clerk
Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Landrigan moved:

RESOLVED, that the meeting be adjourned to an Executive Session to consider the following matters:

MINUTES FOR APPROVAL (1)

February 23, 2015

Date of public disclosure 60 days after conclusion, if disclosure required.

CONTRACT MATTERS (2)

MUSEUM OF EARLY TRADES & CRAFTS

ELECTRIC PROCUREMENT UPDATE

Date of public disclosure 60 days after conclusion, if disclosure required.

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PERSONNEL MATTERS (1)
CROSSING GUARDS

Date of public disclosure 90 days after conclusion, if disclosure required.

Seconded: Mr. Catalanello
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

APPROVAL OF MINUTES

Ms Baillie moved approval of the **Executive Minutes of February 23, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None

Ms. Baillie moved approval of the **Regular Meeting Minutes of February 23, 2015**. Mr. Rowe seconded the motion, which passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None

GREETINGS TO PUBLIC

Mayor Conley made the following comments:

EMPLOYEE OF THE MONTH:

The Employee of the Month for March is Jim Trimble of the Utilities Department for his extra effort in the absence of two injured meter readers. While enduring severe winter weather conditions, Jim worked additional hours and took on the added responsibilities of Customer Serviceman as well as continuing to keep up with all other meter reading responsibilities.

ANNIVERSARY:

Adrienne Tawil of the Madison Public Library – 30th Anniversary on March 18th.

Mayor Conley read a proclamation proclaiming National Poison Prevention Week – March 15-21, 2015.

*Proclamation
of the
Borough of Madison
Proclaiming
National Poison Prevention Week
March 15-21, 2015*

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WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then, this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals and other substances; and

WHEREAS, poison centers across the country will focus the public's attention on identifying poisoning hazards at home, as well as learning ways to prevent poisoning emergencies; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey and although the majority of reported poisonings involve children under the age of six, the majority of poisoning deaths occur in adults aged 20-59; and

WHEREAS, every poisoning is preventable! From the youngest to the oldest, all people and even pets are at risk; and

WHEREAS, poison experts urge parents and caregivers to keep "single-load liquid laundry packets" out of sight and reach of young children as these products can cause serious harm if ingested; and

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Preventive Medicine and Community Health/New Jersey Medical School at Rutgers, The State University of New Jersey, provides free, expert medical advice, drug information, and poison prevention education to New Jersey residents through the 800-222-1222 Poison Help Hotline; and

WHEREAS, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year, even during bouts with Mother Nature when the poison center is instrumental in managing exposures during major storms like Superstorm Sandy; and

WHEREAS, NJPIES is involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance and surveillance for clusters of poisonings; and

WHEREAS, New Jersey poison experts encourage all residents to program the Poison Help Line 800-222-1222 into home, office and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; and

WHEREAS, the use of poison center services saves residents both time and money as most cases are managed in the convenience of the caller's home, requiring no visit to an emergency room;

NOW, THEREFORE, I, Robert H. Conley, Mayor of the Borough of Madison, on behalf of the Governing Body, do hereby proclaim the week of March 15-21, 2015 as **National Poison Prevention Week** in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families and their community.

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Robert H. Conley, Mayor

March 9, 2015

Union Beach Bowling Presentation

Barb Short of Quest Diagnostics presented Mayor Conley with a ceremonial check in the amount of \$15,000.00 to kick off the second annual fundraising drive 'Bowling for Union Beach Campership', to be held on Thursday, March 26th, at Plaza Lanes.

Oath of Office Volunteer Firefighter

Mr. Catalanello moved Resolution R 84-2015, which the Borough Clerk read by title, be adopted. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

R 84-2015 RESOLUTION OF THE BOROUGH OF MADISON
CONFIRMING MEMBERSHIP OF CRAIG J. THOMAS IN THE MADISON
HOOK & LADDER COMPANY #1

WHEREAS, the Fire Chief has advised that Craig J. Thomas was voted into the Madison Hook & Ladder Company #1 as a volunteer firefighter; and

WHEREAS, Section 18-27 of the Madison Borough Code requires that each person so voted shall be confirmed as a member of such division by the Council of the Borough of Madison.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Craig J. Thomas is hereby confirmed as a member of the Madison Hook & Ladder Company #1 effective immediately.

Mayor Conley administered the oath of office to Volunteer Firefighter Craig J. Thomas.

REPORTS OF COMMITTEES

Community Affairs

Ms. Baillie, Chair of the Committee, made the following comments:

The AARP tax program began February 11th and volunteers will see approximately 20 clients each Wednesday. NORWESCAP/RSVP will have their first meeting with the Madison Telephone Reassurance volunteers since taking over the program. We anticipate smoother communication between the volunteers and the RSVP staff, clarification of procedures and the introduction of technology in record-keeping. On Saturday, March 21st, 2015 the DDC and Madison Area YMCA will team up to have their First Annual Madison Downtown Scavenger Hunt. The annual Taste of Madison will be held Monday, March 30, 2015, at the Park Avenue Club. The Merchant of the Month for March is Investors Bank.

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Public Safety

Mr. Catalanello, Chair of the Committee, made the following comments:
The Madison Police Department responded to 2,480 calls for service during the month of February, including 45 motor vehicle crashes, 252 motor vehicle stops, 185 summonses and 19 arrests. Police Officers also investigated 104 parking complaints/details, 22 lost/recovered property reports and conducted 11 Dare classes. Five new officers were sworn in on February 9, 2015. Patrolman Christopher Burans graduated from the police academy and Per Diem Dispatcher Michael Mastro completed his training program.

Utilities

Mrs. Vitale, Chair of the Committee, made the following comments:
The Electric Department reports installation of new secondary cable on Seven Oaks Circle and continued snow removal at both substations. Staff made repairs to several street lights as well as a flag pole light. The Water Department staff continues meter replacement and customer mark outs as well as assisting the Road Department with snow removal. A fire hydrant damaged by a vehicle was replaced, and staff investigated a possible main leak on Carrigan Lane.

Finance and Borough Clerk

Mr. Landrigan, Chair of the Committee, made the following comments:
Mr. Landrigan noted that the municipal budget will be introduced later this evening.

Health

Mr. Wolkowitz of the Committee made the following comments:
The Madison Alliance Addressing Substance Abuse (MAASA) reports receiving a Drug Fee Community Mentor grant through Prevention is Key. Program Coordinator Elizabeth Gringuard is working to assess and identify community problems and establish a coalition of interested organizations. Anyone wishing to volunteer, please contact MAASA. The first in a series of food handler classes will be held Monday, March 16, 2015, and the Health Department is finalizing health screening clinic schedules for 2015. More information will follow and will be posted on the Borough website.

Public Works and Engineering

Mr. Rowe, Chair of the Committee, made the following comments:
The Department of Public Works Roads staff is testing a new method for patching potholes this year with a Hot Box. It will allow them to provide a more permanent fix than the current method of cold patching the potholes.

CAP BANK ORDINANCE

Mayor Conley called up Ordinance 9-2015 for first reading and asked the Borough Clerk to read said ordinance by title:

ORDINANCE 9-2015
CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase

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it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Madison in the County of Morris finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 2.0 % increase in the budget for said year, amounting to \$365,207.76 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Madison, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Madison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$639,224 and that the CY 2015 municipal budget for the Borough of Madison be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Landrigan moved that Ordinance 9-2015, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion.

There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

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BUDGET INTRODUCTION

Statement by Borough Clerk:

Upon introduction and adoption, the 2015 Budget and Tax Resolution will be published by summary in the Madison Eagle on March 26, 2015 with a public hearing date set for April 13, 2015 at 8 p.m. in the Council Chamber, Hartley Dodge Memorial, 50 Kings Road, at which time and place all interested individuals will have an opportunity to be heard, and there will be consideration for final adoption. A copy of the budget as introduced will be filed with the Madison Public Library and the County Library for public review.

***R 85-2015* RESOLUTION OF THE BOROUGH OF MADISON ADOPTING 2015 BUDGET AND TAX RESOLUTION**

Mr. Landrigan noted that the proposed municipal budget is well thought out, with many hours of hard work involved, including the work of the Strategic Planning Committees. Mr. Landrigan noted several highlights of the proposed budget and thanked Borough officials for their efforts.

Mr. Landrigan moved that Resolution R 85-2015, which the Borough Clerk read by title, be adopted. Mr. Wolkowitz seconded the motion. Mayor Conley asked Council for any comments. Mr. Landrigan noted

There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe
Nays: None

COMMUNICATIONS AND PETITIONS-None

INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Martin Barbato; Arlena Court, noted the proposed municipal budget presentation is in draft form and suggested the proposed budget be available on the Borough website.

Thomas Bintinger; Rolling Hills Court, complimented the Council and Administration for their efforts on the proposed municipal budget noting deviations from the Strategic Budget Committee's proposed guidelines.

AGENDA DISCUSSIONS

***03/09/2015-1* APPROPRIATION OF \$12,000.00 FOR REFORESTATION IMPROVEMENTS AT THE MRC**

Ms. Baillie noted that the Open Space Committee members unanimously support the application for the reforestation of the MRC property and recommend Council appropriate \$12,000.00 for this project.

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Ordinance 10-2015 is listed for introduction.

03/09/2015-2 APPROPRIATION OF \$110,000.00 FOR RESTORATION AND REPAIR OF THE JAMES LIBRARY BUILDING

Following discussion there was agreement to list an ordinance for appropriation of \$110,000 to accompany a Morris County Historic Preservation grant for the restoration and repair of the James Library Building. Ms. Baillie noted that the Open Space Committee members unanimously support the application.

Ordinance 11-2015 is listed for introduction.

03/09/2015-3 AMEND CHAPTER 15 OF THE BOROUGH CODE, 'DOWNTOWN DEVELOPMENT COMMISSION' TO INCLUDE MACA REPRESENTATIVE

Ms. Baillie stated that the Downtown Development Commission voted to approve the expansion of the Commission to include a Madison Arts and Cultural Alliance (MACA) member representative. There were no objections to listing an ordinance for introduction.

Ordinance 12-2015 is listed for introduction.

ADVERTISED HEARINGS

The Clerk made the following statement:

The ordinance scheduled for hearing tonight was submitted in writing at a Regular meeting of the Mayor and Council held on February 23, 2015, was introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

ORDINANCE 8-2015

ORDINANCE OF THE BOROUGH OF MADISON ESTABLISHING CHAPTER 137 OF THE BOROUGH CODE TO ESTABLISH POLICIES AND PROCEDURES FOR THE RECREATION DEPARTMENT OF THE BOROUGH OF MADISON

WHEREAS, the Assistant Borough Administrator and Recreation Advisory Committee have recommended that the Borough of Madison adopt an ordinance to establish policies and procedures for the Recreation Department in the Borough of Madison; and

WHEREAS, the Council has considered this recommendation and desires to proceed with the adoption of such ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey as follows:

CHAPTER # 137

RECREATION DEPARTMENT CODE AND POLICIES

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§ #-1. Creation and purpose.

There hereby is created a Recreation Department in the Borough of Madison. The Recreation Department shall have as its purpose to maintain, promote and facilitate use of Borough-owned parks and recreational facilities and to provide both passive and active recreational programs, including, but not limited to, athletics and related physical programs.

§ #-2. Departmental administration.

There shall be a Borough of Madison Recreation Department, the head of which shall be the Recreation Director. With guidance from the Borough Administrator and the Recreation Advisory Committee, the Recreation Director shall: administer and operate athletic fields and facilities for indoor and outdoor sports, athletics, and recreational programs for children and adults; support and administer cultural and recreational programs, activities, and organizations; and, administer and enforce all rules, ordinances, and regulations relating to Recreation Department activities.

§ #-3. Recreation department rules and regulations.

The Madison Recreation Department shall control all lands, playgrounds and recreation places in a safe and wholesome condition for use. Suitable rules, regulations, and by-laws for the care of Borough property, for the conduct of all such persons while on or using such property, and any other appropriate regulations pertaining to Borough Recreation Programs shall be adopted by the Recreation Department with the advice and consent of the Borough Administrator and the Borough Attorney. Any person who shall violate any such rules, regulations, or by-laws shall be adjudged to be a disorderly person.

§ #-4. Organization of Sport Programs.

- A. The Borough of Madison will recognize one (1) organization for each sport as the primary organization for that sport annually by resolution; that organization shall be the one with the largest number of Madison youths participating; and that organization shall receive priority when reserving facility space. One (1) primary contact per organization shall be designated to represent each organization. Each sports organization is required to have a minimum 3 person Board of Directors.
- B. Unless waived by the Administrator, any Sports Program that is a separate legal entity which is granted permission to conduct recreational activities at Borough facilities shall provide a certificate of insurance in the amount of five hundred thousand dollars (\$500,000.00), combined single limit, covering property damage, liability and workers compensation, and naming the Borough as an additional insured with a thirty (30) day notice of cancellation.

§ #-5. Facility Allocation, Use and Maintenance.

- A. Facility use will be allocated to the various Sports Programs in accordance with policies established by the Recreation Director and the Recreation Advisory Committee, with the advice and consent of the Borough Administrator.
- B. Use of Borough facilities shall occur only after all required paperwork has been submitted to the Recreation Director as directed in this chapter,

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including but not limited to coach information, verification of coach training, criminal history record background checks, player information, and proof that the Code of Conduct has been distributed and enacted by every person involved.

- C. After each practice or event, the user must return the facility in a satisfactory condition, free of debris, rubbish and equipment, and shall observe all Borough ordinances, rules and regulations. Failure to do so shall be considered a violation of Borough regulations and shall result in penalties as described in Section 8 of this Chapter.

§ #-6. Mandatory criminal history record background checks.

- A. The Borough of Madison requires that all employees and volunteers, 18 years of age and older, of a nonprofit youth-serving organization as a condition of coaching or using the Borough of Madison's facilities, submit to a Criminal History Record Background Check by an Authorized Vendor. The Criminal History Record Background Check shall be required of any coach or any person with direct access to minors involved in any youth-serving recreation program as determined by the Recreation Director. The Criminal History Record Background Check shall be performed annually or in a frequency as determined by State Statute. The costs of said Criminal History Record Background Check will be borne by the applicant.

- 1. A nonprofit youth-serving organization or organization is defined as any corporation, association or organization established pursuant to Title 15 or Title 15A of the New Jersey Revised Statutes, or other law of this state, but excluding public and nonpublic schools, and that provides recreational, cultural, charitable, social or other services for persons younger than 18 years of age, and is exempt from federal income taxes.

- B. An Authorized Vendor is defined as a vendor which is recognized by the Recreation Department and authorized by the State of New Jersey to conduct Criminal History Record Background Checks. A Criminal History Record Background Check is defined as a background check that complies with State of New Jersey Public Law 199 Chapter 432 and all other appropriate statutes.
- C. Criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. Use of this record shall be limited solely to the authorized purpose for which it was given, and it shall not be disseminated to any unauthorized persons or entities. Any person violating federal or state regulations governing access to criminal history record information may be subject to criminal and/or civil penalties.
- D. Failure to comply with this § may result in the Borough withholding funding for the program or league, and/or prohibiting use of Borough facilities.
- E. A person may be disqualified from serving as an employee or volunteer of a nonprofit youth-serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes or offenses:

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1. In New Jersey, any crime or disorder persons offense:
 - a. Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq., or N.J.S.A. 2C:15-1 et seq.
 - b. Against the family, children or incompetent, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:14-1 et seq.
 - c. Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Revised Statutes.
 - d. Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Revised Statutes except Paragraph (4) of Subsection (a) of N.J.S.A. 2C:35-10.
 2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offense described in Subsection E(1) of this section.
- F. For purposes of interpreting the information recorded in a criminal history record to determine the qualifications of the employee or volunteer of a nonprofit youth servicing organization and/or the employee or volunteer involved with Borough-sponsored programs involving minors, the Borough shall presume that the employee or volunteer is innocent of any charges or arrests for which there are no final dispositions on the record.
- G. Challenge of accuracy of criminal history report.
1. If a criminal history record may disqualify an employee or volunteer for any purpose, the employee or volunteer shall be provided with an opportunity to complete and challenge the accuracy of the information contained in the criminal history record. The employee or volunteer shall be afforded a reasonable period of time to correct and complete this record. A person is not presumed guilty of any charges or arrests for which there are no final dispositions indicated on the record. The Recreation Department shall coordinated between the employee or volunteer and the Division of the State Police or the authorized vendor any such opportunity to complete or challenge the accuracy of the information contained in the criminal history record.
 2. No person or entity shall be held liable in any civil or criminal action brought by a party based on any written notification on filed with the Police Department pursuant to the provisions of this section.
- H. Notification of subsequent disqualifying offense. If an employee or volunteer is convicted of a disqualifying crime or offense as specified in Subsection E hereof after such person has cleared the required background check, such person must immediately (but no later than three days after such conviction) notify the Borough Administrator of that fact. Such person shall be immediately disqualified from his or her position.

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- I. Violation and penalties. Failure to comply with this section may result in the Borough withholding funding for the program or league, and/or prohibiting the use of Borough facilities.

§ #-7. Safety Regulations and Coach Training Policy.

- A. Regulations regarding the suspension of activity due to lightning or other safety related issues shall be established by the Borough Administrator and the Borough Attorney with advice and input from the Recreation Director and Recreation Advisory Committee. Said regulations shall apply to all recreation programs and all organizations that have acquired field rental permits. Signs shall be posted at each park referencing the safety and lightning regulations.
- B. A policy regarding Minimum Coach Training including but not limited to training in safety and conduct, shall be established by the Borough Administrator and the Borough Attorney with advice and input from the Recreation Director and Recreation Advisory Committee.

§ #-8. Madison Recreation Department Code of Conduct

- A. All organizations affiliated with the Madison Recreation Department must distribute and enforce a Code of Conduct as determined by the Recreation Department with the advice and consent of the Borough Administrator and the Borough Attorney. Sports Organizations are required to report all potential Code of Conduct violations to the Recreation Director and Borough Administrator as soon as possible and no later than 48 hours after the incident.
- B. Signs referencing the Code of Conduct shall be placed at every Borough owned sports facility.
- C. Compliance with Code of Conduct. Every participant, parent, guest, spectator, coach, or official attending or participating in any manner in any recreational activity, conducted under the auspices of the Madison Recreation Department, shall comply with the Code of Conduct. The Code of Conduct shall apply whether or not the event occurs within the Borough of Madison, provided it is conducted under the auspices of the Madison Recreation Department. Failure to comply with the Code of Conduct may result in suspension or other penalty as described in Section 9 of this Chapter. Without limitation, the following conduct is prohibited and shall be considered a violation of the code of conduct as determined by the Recreation Director:
 - (1) **Fights, scuffles, aggressive verbal arguments, and threats.** Initiating a fight, scuffle, aggressive verbal argument or any type of physical altercation or abuse or threats of abuse, towards any participant, parent, guest, spectator, coach or official.
 - (2) **Interference with recreational activities.** Interfering with recreational activities, including, but not limited to, entering the field of play, court, or rink, during any recreational activity conducted under the auspices of the Madison Recreation Department for the purpose of physically or verbally abusing or confronting coaches.

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- (3) **Use of obscene or profane language.** Using obscene or profane language, verbally abusing an official, player, or spectator, which abuse shall be deemed to include the use of obscene or profane language, or gesture, or racial, ethnic or sexual slurs.
 - (4) **Throwing objects onto the field of play.** Throwing or causing to be deposited any object onto the field of play, court, or rink.
 - (5) **Bullying, harassment or other forms of aggressive behavior.** Bullying harassing, or exhibiting other forms of aggressive behavior.
 - (6) **Aggressive physical contact with participants.** Having aggressive physical contact with recreation participants, including, but not limited to, hitting, kicking, pushing or other forms of aggressive physical contact.
 - (7) **All other detrimental behavior.** Other behavior which may be determined by the Recreation Director to be inappropriate and detrimental to recreational participants shall include, but not be limited to, encouraging recreation participants to engage in prohibit activity or inappropriate activity.
 - (8) **Refusing to follow the order of officials.** Parents, coaches, spectators, and all other parties at any recreation event must comply with the requests and demands of all field officials, including appointed league officials. Such authority shall include the authorization to direct any person or person to immediately remove themselves from the premises.
- D. Enforcement of Code of Conduct. The Recreation Director is hereby directed to review behavior at events at which teams or individuals participate under the auspices of the Madison Recreation Department, including events outside the Borough of Madison, and to make every effort to ensure that behavior at said events complies with the Code of Conduct established by this Chapter. Individual Sports Organizations shall not take any enforcement action with regards to potential Code of Conduct violations. The Recreation Director and the Borough Administrator shall be responsible for enforcement of the Code of Conduct. Any and all allegations, claims, or charges regarding violations of the Code of Conduct may be presented to the Recreation Director and the Borough Administrator.

§ #-9. Violations, Penalties and Appeals Process.

- A. Any and all allegations, claims, or charges regarding violations of any rule or regulation established under this Chapter including but not limited to Code of Conduct, Safety Regulations, Coach Training, Criminal History Record Background Checks, or Facility Maintenance shall be presented to the Recreation Director. The Recreation Director shall inform the Borough Administrator before any action is taken. No complaint needs to be filed in order for the Recreation Director or the Borough of Madison to take action. Any penalty issued by the Recreation Director requires approval of the Borough Administrator. Penalties may include, but are not limited to, suspension of or reduction in an individual, program or organization's use of the Borough athletic field and facilities. Any penalty issued by the Recreation

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Director that involves a suspension in excess of three months must be reviewed by the Recreation Advisory Committee. Any individual, sports program or organization that is subject to penalty pursuant to this Chapter shall not have the right to reserve the use of Borough facilities until such penalty has expired or terminates.

- B. Appeals Process. An Appeal Committee shall be appointed when necessary to consider appeals from penalties imposed by the Recreation Director for violations of the Code of Conduct, Lightning Regulations or any other rules established under this Chapter. The Final Appeal Committee shall consist of the Borough Administrator, the Chair of the Recreation Advisory Committee, and the Recreation Director. The Final Appeal Committee shall establish whatever procedures it deems appropriate for it to review the matter, and shall be authorized to make a determination regarding the appropriateness of the penalty. Any such individual, program or organization wishing to appeal a penalty must file a written notice with the Recreation Department within ten (10) days after receipt of written notice of such penalty.

§ #-10. Additional policies and procedures possible.

The Borough of Madison reserves the right to establish additional policies and procedures as they determine in their absolute discretion.

§ #-11. Severability

If any section, provision or any other part of this Chapter, or the application of any such provision to any person or circumstances, shall be adjudged unconstitutional or invalid, the remainder of this Chapter to the extent it can be given effect or the application of such provision to person or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Chapter are severable.

§ #-12. Repealer

All ordinances or parts of ordinances which are inconsistent with the provisions of this article are hereby repealed, but only to the extent of such inconsistencies.

§ #-13. Effective

This Chapter shall take effect on July 1, 2015.

Mayor Conley opened up the public hearing on Ordinance 8-2014. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Baillie moved that Ordinance 8-2014, which was read by title, be finally adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

Mayor Conley declared Ordinance 8-2014 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

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INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

Since no member of the public wished to be heard, the invitation for discussion was closed.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of March 23, 2015 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

Mayor Conley called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

ORDINANCE 10-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$110,000.00 FROM THE MUNICIPAL OPEN SPACE
TRUST FUND FOR RESTORATION AND REPAIR OF THE JAMES
LIBRARY BUILDING

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to continue the restoration and repair of the James Library Building, as requested by the Museum of Early Trades & Crafts; and

WHEREAS, the Open Space Advisory Committee has recommended the full funding of this request; and

WHEREAS, the METC will be utilizing these funds to satisfy the match requirement of a Morris County Historical Preservation Trust Fund grant application to further support the restoration work; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$110,000.00 from the Open Space Trust Fund for the restoration and repair of the James Library Building; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$110,000.00 for this purpose in the Open Space Trust fund.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

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SECTION 1: The amount of \$110,000.00 is hereby appropriated from the Open Space Trust Fund for the restoration and repair of the James Library Building, as requested by the Museum of Early Trades & Crafts.

SECTION 2: This Ordinance shall take effect as provided by law.

Ms. Baillie moved that Ordinance 10-2015, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 11-2015 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$12,000.00 FROM THE MUNICIPAL OPEN SPACE
TRUST FUND FOR REFORESTATION AT THE MADISON RECREATION
COMPLEX

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to reforest certain areas of the Madison Recreation Center; and

WHEREAS, the Open Space Advisory Committee has recommended the full funding of the request; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$12,000.00 from the Municipal Open Space Trust Fund for reforestation; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$12,000.00 for this purpose in the Municipal Open Space Trust fund.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: The amount of \$12,000.00 is hereby appropriated from the Municipal Open Space Trust Fund for reforestation at the Madison Recreation Complex.

SECTION 2: This Ordinance shall take effect as provided by law.

Ms. Baillie moved that Ordinance 11-2015, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

ORDINANCE 12-2015 ORDINANCE OF THE BOROUGH OF MADISON
AMENDING CHAPTER 15 OF THE MADISON BOROUGH CODE
ENTITLED “DOWNTOWN DEVELOPMENT COMMISSION”

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WHEREAS, the Madison Downtown Development Commission has recommended revision of Chapter 15 of the Borough Code Entitled: “Downtown Development Commission”; and

WHEREAS the Borough Council has determined to revise Chapter 15 of the Borough Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: Chapter 15 of the Borough Code entitled “Downtown Development Commission” is hereby amended as follows:

§15-2 A. **Numbers of Members.** Membership shall consist of nineteen (19) regular members, one (1) advisory/alternate member, and one (1) ex-officio member.

§15-2 B (4). Merchant, Commercial Property Landlord and/or Business Owner; four (4) regular members: These members shall be either an owner or tenant merchant operating a business that is based in Madison and/or an owner (landlord) of commercial property within the Downtown District.

§15-2 B(5). Organizational Representatives; seven (7) regular members: These members shall represent the views of major organizations important to the Madison Community.

§15-2 B(8). Ex-Officio Member; one (1) member: who shall be the Assistant Borough Administrator or other Borough Employee.

§15-2 C The Mayor, Council Liaison and all regular members of the Commission, except the ex-officio member shall exercise voting power (19 members). The advisory member may participate in discussions but may not vote except in the absence of or disqualification of a regular member

Add:

§15-2 B (5) vii. Arts; one (1) representative who shall be a member of the Madison Arts & Culture Alliance or other arts related organization based in the Madison area.

SECTION 2: This Ordinance shall take effect as provided by law.

Ms. Baillie moved that Ordinance 12-2015, which the Borough Clerk read by title, be adopted. Mrs. Vitale seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

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Ms. Baillie moved adoption of the Resolutions R 86-2015 through R 95-2015, and R 97-2015 and R 98-2015 listed on the Consent Agenda. Mr. Catalanello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

R 86-2015 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,166,000 GENERAL IMPROVEMENT BONDS, SERIES 2015, OF THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE SFY 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Madison (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project which consists of the rehabilitation of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control Facility (the "Project"), as further defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the SFY 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan")

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and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2015, to the Trust (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2015, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$2,166,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the Borough Council of the Local Unit (the "Borough Council") as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its Trust Loan Bond to the Trust and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$2,166,000, all in accordance with the provisions hereof. The Local Unit Bonds have been referred to and

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described in Bond Ordinance No. 53-2014 of the Local Unit entitled, "BOND ORDINANCE TO AUTHORIZE THE FUNDING OF A PORTION OF THE COST OF THE REHABILITATION OF THE MADISON-CHATHAM JOINT MEETING'S MOLITOR WATER POLLUTION CONTROL FACILITY BY AND FOR THE BOROUGH OF MADISON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,166,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS", which was finally adopted by the Borough Council at a meeting thereof duly called and held on November 24, 2014, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amount of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed twenty years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds;
and

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- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough Council hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-1F. The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1T;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Rogut McCarthy LLC (the "Local Unit's Bond Counsel") is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough Auditor is hereby authorized to prepare the financial information

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necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The Mayor and the Chief Financial Officer are severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to the Local Unit's Bond Counsel and to Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

R 87-2015 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF MADISON AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE SFY 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Madison (the "Local Unit"), in the County of Morris, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project which consists of the rehabilitation of the Madison-Chatham Joint Meeting's Molitor Water Pollution Control

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Facility (the "Project"), as further defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the SFY 2015 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Trust Loan General Improvement Bonds, Series 2015, to the Trust (the "Trust Loan Bond") and the Local Unit's Fund Loan General Improvement Bonds, Series 2015, to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$2,166,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes Annotated, other applicable law and the Loan Agreements; and

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WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of that certain Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein;

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the Borough Council of the Local Unit as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by the Mayor in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor, in his or her sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by the Mayor. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by the Mayor and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Mayor or the Chief Financial Officer (the "Authorized Officers") and the Borough Clerk are hereby further severally authorized to (i)

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execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

R 88-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY DRIVER'S PERMIT FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2015

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following livery driver's permit be renewed for the year 2015:

LICENSE NO.

NAME

15-4D

Samuel Mantone
Precise Limousine Transport Service LLC

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R 89-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RENEWAL OF LIVERY OWNER’S LICENSE FOR PRECISE LIMOUSINE TRANSPORT SERVICE LLC FOR 2015

BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following Livery Owner’s License renewal be approved for the year 2015:

<u>LICENSE NO.</u>	<u>NAME</u>	<u>Vehicles</u>
15-12, 15-13	Carmine C. Fornaro	6 Liveries
15-14, 15-15	Precise Limousine Transport Service LLC	
15-16, 16-17		

R 90-2015 RESOLUTION OF THE BOROUGH OF MADISON TO SUPPORT THE GRANT APPLICATION OF THE GREAT SWAMP WATERSHED ASSOCIATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Great Swamp Watershed Association (GSWA) has previously successfully completed stormwater improvements at Seaton Hackney Stables at Loantaka Brook Reservation including pasture drainage, stream stabilization at the county stable and stormwater/drainage improvements in the adjacent Morris Township pool parking lot; and

WHEREAS, the Borough of Madison fully supports GSWA’s mission to protect the Great Swamp from the environmental impacts caused by non-point source pollution often resulting from inadequately managed stormwater runoff; and

WHEREAS, the work of the GSWA is improving the water quality of Loantaka Brook, the most polluted tributary of the Great Swamp National Wildlife Refuge; and

WHEREAS, the GSWA is applying for funding to the NJDEP 319 grant program to continue their efforts to restore Loantaka Brook and complete the remaining work at the Seaton Hackney Stable Complex; and

WHEREAS, the goals of the FY2015 319(h) grant funding application when completed will improve the site’s overall stormwater management; reduce pollutant loading from the Seaton Hackney Stable Complex to Loantaka Brook; restore an impaired section of an eroded stream channel; and complete the equestrian facility best management practices identified in the Conservation Activity Plan prepared under the prior 319 grant;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Madison Borough Council wholeheartedly supports and endorses the grant application to be submitted to NJDEP by GSWA and commends GSWA for their enlightening stewardship and advocacy for the environment.

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**R 91-2015 RESOLUTION OF THE BOROUGH OF MADISON REGARDING
SELF-EXAMINATION OF BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Madison has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Madison that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the

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Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

R 92-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE MADISON FIRE DEPARTMENT TO HOLD A WET DOWN EVENT

WHEREAS, the Fire Chief has recommended that permission be granted for the Fire Department to hold a special “wetdown” event to celebrate the dedication of the 1921 Ahrens-Fox Fire Truck “Geraldine”; and

WHEREAS, the event will be held at the Public Safety Complex on Saturday, May 30, 2015 from 4:00 p.m. to 10:00 p.m.; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that the Fire Department is hereby given permission to hold a special “wetdown” event to celebrate the dedication of the 1921 Ahrens-Fox Fire Truck “Geraldine” on Saturday, May 30, 2015, from 4:00 p.m. to 10:00 p.m. at the Public Safety Complex.

R 93-2015 RESOLUTION OF THE BOROUGH OF MADISON ACCEPTING DONATION OF A PALLET JACK FROM LINQUE MANAGEMENT CORP., ROCKAWAY, NEW JERSEY

WHEREAS, Linque Management Corp. of Rockaway, N.J. has generously offered to donate a pallet jack to the Madison Fire Department; and

WHEREAS, the Borough Council has concluded that it would be in the best interest of the Borough to accept the donation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris in the State of New Jersey that the Borough accepts the donation of a pallet jack for use by the Madison Fire Department.

BE IT FURTHER RESOLVED that the Borough of Madison expresses its gratitude to Linque Management Corp.

R 94-2015 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING ST. BALDRICK’S CHILDREN’S CANCER EVENT AT WAVERLY PLACE ON SUNDAY, MARCH 29, 2015

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WHEREAS, Mr. Tom Selquist has applied for special permission to close Waverly Place on Sunday, March 29, 2015, from 2:00 p.m. to 5:00 p.m. for a charity event supporting children's cancer research; and

WHEREAS, the Council has determined that special permission should be issued provided that Mr. Selquist complies with all requests from the Police Department and Health Department.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, that special permission is authorized to close Waverly Place on Sunday, March 29, 2015 from 2:00 p.m. to 5:00 p.m. subject to compliance with requests from Borough officials.

R 95-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING THE ANNUAL LITTLE LEAGUE PARADE TO BE HELD ON SATURDAY, APRIL 18, 2015

WHEREAS, the Madison Little League has requested permission to hold its annual Little League Parade on Saturday, April 18, 2015 to officially start their 2015 season; and

WHEREAS, the parade will begin at 12:00 Noon, and proceed on a route approved by the Madison Borough Police Chief, said route beginning at the intersection of Wilmer Street and Green Village Road, and it will continue down Green Village Road to Main Street, continuing east on Main Street and turn left onto Greenwood Avenue, continuing down Greenwood Avenue where it will conclude at Dodge Field where there will be a brief ceremony at the conclusion of the parade; and

WHEREAS, Police Chief Dachisen recommends approval of this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request of the Madison Little League to hold its annual Little League Parade in Madison on Saturday, April 18, 2015, as described herein is hereby approved, subject to any safety requirements imposed by the Madison Police Department.

R 97-2015 RESOLUTION OF THE BOROUGH OF MADISON APPROVING RAFFLES LICENSE APPLICATION SUBMITTED BY PTO KINGS ROAD SCHOOL

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BE IT RESOLVED by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the following application for Raffles License, to be held as listed below, be and the same is hereby approved:

PTO KINGS ROAD SCHOOL
I.D. No. 274-5-18728
R.A. No. 1343 – Armchair Race
April 17, 2015

R 98-2015 RESOLUTION OF THE BOROUGH OF MADISON GRANTING
“LIGHT IT UP BLUE” CAMPAIGN PERMISSION TO PUBLICIZE APRIL AS
AUTISM AWARENESS MONTH

WHEREAS, Jaime B. Conroy on behalf of “Light It Up Blue”, requests permission to decorate Waverly Place blue from April 1, 2015, to April 30, 2015, in support of the “Light It Up Blue” campaign to raise awareness during “Autism Awareness Month;” and

WHEREAS, the Borough Council has determined to grant this request.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that the request to decorate Waverly Place in blue from April 1, 2015, to April 30, 2015, in support of the “Light It Up Blue” campaign to raise awareness during “Autism Awareness Month” is hereby approved with final plans to be reviewed and approved by the Borough Administrator and with the understanding that the ribbons will be removed by organizers of the program no later than May 8, 2015.

Ms. Baillie moved adoption of the Resolution R 96-2015 listed on the Consent Agenda. Mr. Catalanello seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

Yeas: Mr. Landrigan, Mrs. Vitale, Ms. Baillie, Mr. Wolkowitz
Nays: Mr. Rowe
Abstain: Mr. Catalanello

R 96-2015 RESOLUTION OF THE BOROUGH OF MADISON PETITIONING
PSE& G TO NOT ALLOW USE OF THEIR EXISTING RIGHT OF WAYS FOR THE
CONSTRUCTION OF THE PILGRIM PIPELINE

WHEREAS, Pilgrim Pipeline Company (“Pilgrim”) is proposing to build a new bi-directional pipeline through multiple communities in New Jersey, including Madison, that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

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WHEREAS, the Pilgrim Pipeline project raises significant safety concerns for Madison residents as well as potential harm to municipal and county infrastructure, and likely negative impact upon future development in our community; and

WHEREAS, Borough residents depend on ground water and public community water systems for their water supply and the proposed pipeline alignment is over the Buried Valley Aquifer utilizing the PSE&G Right-of-Way along Brooklake Road and Division Avenue; and

WHEREAS, the PSE&G Right-of-Way in Madison already contains electric transmission, distribution and high pressure natural gas facilities; and

WHEREAS, hundreds of Madison residents attended a recent meeting at Madison High School regarding the proposed Pipeline to express their concerns;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Madison governing body hereby petitions PSE&G not to allow the use of their existing Right-of-Ways for the construction of the Pilgrim Pipeline and directs the Borough Clerk to forward copies of this resolution to the Clerks of all Morris County municipalities; Morris County Freeholders; Mr. Ralph A. LaRossa, PSE&G President and Chief Operating Officer and Mr. Ralph Izzo, PSE&G Chairman of the Board and Chief Executive Officer.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Mr. Catalanello seconded by Ms. Baillie and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Public Safety	\$31,920.97
Health & Public Assistance	9,078.68
Public Works & Engineering	537,893.02
Community Affairs	588.97
Finance & Borough Clerk	3,748,650.88
Utilities	<u>190,768.91</u>
Total	<u>\$4,518,901.43</u>

The following roll call vote was recorded approving the aforementioned vouchers:

Yeas: Mr. Catalanello, Mr. Landrigan, Mrs. Vitale,
Ms. Baillie, Mr. Wolkowitz, Mr. Rowe

Nays: None

NEW BUSINESS - None

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved April 13, 2015 (EO)